~~1944~~

File No. B Village Panch./49

Legal Dept.

B **BRANCH**

Subject:— A Bill to amend the Bombay Village Panchayats Act 1933

L.A. Bill No LVI of 1949

Bom. Act No XLV of 1949

P18

B. Village Panch./49

File No.

Gen. 194 e.

708-R

K

Legal Department.

A revised draft Ordinance together with a Statement is sent herewith. It is however however for H. & L.G.D. to decide whether in this particular case circumstances exist which require immediate action. Unless such circumstances exist, it will not be legal or proper to promulgate the proposed Ordinance.

2. The subject-matter of the Ordinance falls under entry 13 in the Provincial Legislative List in the Seventh Schedule to the Government of India Act, 1935. As there is no provision in the Ordinance which is repugnant to any earlier Dominion law or an existing law in relation to a matter enumerated in the Concurrent Legislative List , the proviso to sub-section (1) of section 88 of the said Act does not apply and it is not necessary to obtain instructions from the Governor General before promulgating the Ordinance.

3. Under section 88(2)(a) of the Government of India Act, 1935 , an Ordinance promulgated under that section has to be laid before the Provincial Legislature. The Ordinance will cease to operate at the expiration of six weeks from the re-assembly of the Legislature. In order to continue the legislation thereafter, , it will be necessary to enact the provisions of the Ordinance into an Act.

Id/-
dt/- 14/5/
Additional Secretary to Government.

U.R. to H. & L.G.D. No. 5395 , dated the 14th May 1949.

Pd/ 47

V.v.k. 5/6/56/

5C.

Rat Legal Department.

The requisite draft Bill to amend the Bombay Village Panchayats Act, 1933, is sent herewith .

2. The subject-matter of the Bill falls under entry 13 in the Provincial Legislative List In the Seventh Schedule to the Government of India Act, 1935. As the Bill does not contain any provision repugnant to the provisions of any earlier Dominion law or an existing law in relation to a matter enumerated in the Concurrent Legislative List it would not be necessary to reserve the Bill for the consideration of the Governor-General with reference to section 107(2) of the Government of India, Act, 1935.

3. The Bill does not require any sanction or recommendation uder the Government of India Act, 1935.

Id/-
dt/- 24/6/

Aditional Secretary to Government

U.R. to H.& L.G.D. 7027 dated the 24th June 1949.

V.v.k. 4/6/56/

Legal Department .

A consolidated draft Bill is sent herewith

2. Clause (e) of sub-section (2) of section 63 of the Bombay Primary Education Act, 1947, provides formaking of rules for the constitution and functions of village School Committees. Under this clause it willbe possible to make rules for the constitution of Village School Committees. Such rules can provide for the constitution of Village School Committees either by election or nomination of members, the powers and duties of the Committees and can also include a provision for referring questions regarding the validity of elections of members of Committees to theCollector for final decision. In view of this, it is not necessary to add any new section in the Bombay Village Panchayats Act, 1933 , as contemplated by the Department for the election of School Committees. The conflict which existed between theprovisions of the Bombay Village Panchayats Act and the Bombay Primary Education Act, is being removed by the amendment of section 8 of the former Act,

3. The subject-matter of the Bill falls under entry 13 in List II in the Seventh Schedule to the Government of India Act , 1935, As the Bill does not contain any provision in relation to any matter enumerated in the Concurrent Legislative List, it would not be necessary toreserve the same for the consideration of the Governor General with reference to section 107(2) of the said Act.

4. The Bill does not require any sanction or recommendation under the Government of India Act, 1935.

Id/-
dt/- 29/7/

Additional Secretary to Governmen

U.R. to H. & L.G.D. No. 8556 , dated the 29th July 1949

V.v.k. 5/8/56/ 5C.

No. 12057.
Legal Department,
Bombay Castle, 28th October 1949.

From

J.R.Dhurandhar, Esquire,
Additional Secretary to the Government of Bombay,
Legal Department.

To

The private Secretary to the Governor of Bombay.

Subject:- The Bombay Village Panchayats (Second Amendment) Bill, 1949.

Sir,

With reference to section 75 of the Government of India Act, 1935, I am directed to forward herewith for the assent of His Excellency the Governor the authentic copy of the Bombay Village Panchayats (SEcond Amendment) Bill, 194 which was read for the third time and passed by the meetings of the Bombay Legislative Assembly and the Bombay Legislative Council held on the 16th and the 28th September 1949, respectively.

2. The subject-matter of the Bill falls under entry 13 in List II in the Seventh Schedule to the Government of India Act, 1935. As the Bill does not relate to any matter enumerated in the Concurrent Legislative list, it is not necessary to reserve the same for the consideration of the Governor-General with reference to secrion 107(2) of the Government of India Act, 1935.

3. The date on which His Excellency the Governor's assent is given may kindly be entered in the endorsement.

V.v.k. 5/6/56/

5C7.

4. I also forward herewith one copy of each of the items noted in the margin. The Bill was not referred to a Select Committee.

	Nos.
Bill as introduced in the Bombay Legislative Assembly with the statement of Objects and Reasons.	1,2 and 3
Bill as read for the third time and passed by the Bombay Legislative Assembly and as introducted in the Bombay Legislative Council.	4 and two copies of item No. 3
Bill as read for the third time and passed by the Bombay Legislative Council.	
Extracts from the Proceedings of the Bombay Legislative Assembly dated the 16th September 1949 and of the Bombay * September 1949.	of the papers noted

* Legislative Council dated the 28th

Yours Faithfully,

Id/-
dt/- 27/10/

Additional Secretary to the Government of Bombay.

Through

The Secretary to the Government of Bombay,
Health and Local Government Department.

V.v.k. 5/6/56/

50.

No. P.S.G. -/- 5178.

From

The Private Secretary to the Governor of Bombay.

To

The Additional Secretary to Government,

Legal Department.

Government House,

Bombay , November 2, 1949.

Subject : The Bombay Village Panchayats (Second Amendment)Bill, 1949.

Sir,

With reference to your letter No. 12057, dated October 28, 1949, I am directed to return herewith the authentic copy of the Bombay Village Panchayats (Second Amendment) Bill , 1949 , with His Excellency the Governor's assent signfied thereon.

Yours faithfully,

Id/-

Private Secretary to the Governor of Bombay.

V.v.k. 8/6/56/

50.

BILLS.

A Bill to amend the Bombay Village Panchayats Acts, 1933.

GOVERNMENT OF BOMBAY.
Legal Department,
Resolution No. 10135

Bombay Castle, 6th September 1949.

RESOLUTION :- The Bill with the Statement of Objects and Reasons should be forwarded to the Manager, Government Central Press Bombay, for publication in the Bombay Government Gazette, dated the 6th September 1949, as Bill No. LVI of 1949.

2. The Bill and the Statement of Objects and Reasons should be translated into Marathi, Gujarati, Kannada, and Hindustani(in Urdu and Devnagari Scripts.) and the translations should be published in he Bombay Government Gazette on the 13th September 1949.

3. The dates of the various publication should be reported to the Bombay Legislature Department.

By order of the Governor of Bombay,

Sd/- [illegible]
Assistant Secretary to Government.

To

The Manager,
Government Central Press , Bombay (with the Bill and the statement of Objects and Reasons and with a request that 300 to the Bombay Legislature Department for distribution to the members of the Bombay Legislative Assembly and 25 copies for the use of the legal Department and 20 copies for the Health and Local Government Department),

Gazette copies of the Bill and S.O.R. may be forwarded

V.v.k. 5/6/56/

50.

ACTS.

Publication of the Bombay Village Panchayats (Second Amendment) Act, 1949.

GOVERNMENT OF BOMBAY,
Legal Department,
Resolution No. 12552

Bombay Castle, 7th November 1949.

Letter to the Private Secretary to the Governor, No. 12057, dated the 28th October 1949.

Letter from the Private Secretary to the Governor, No. P.S.G. - 3178, dated the 2nd November 1949 :-

[2nd Amendment] Bill, 1949, with His Excellency

"With reference to your letter No. 12057, dated October 28, 1949, I am directed to return herewith the authentic copy of the Bombay Village Panchayats * the Governor's assent signified thereon."

RESOLUTION :- The law should be published as Bombay Act No. XLV of 1949, in the Bombay Government Gazette dated the 7th November 1949.

2. The Act should be translated into Marathi, Gujarati, Kannada and Hindustani (in Urdu and Devnagari scripts) and the translations should be published in the Bombay Government Gazette.

3. A copy of the Act should be forwarded to the Health and Local Government Department.

By order of the Governor of Bombay,

Sd/- S.L.C.
Assistant Secretary to Government.

To

The Manager, Government Central Press, Bombay (with a copy of the Act and with a request that 30 Gazette copies of the Act may be forwarded to the Legal Department).

V.V.K. 556/56/ 5C.